

REMARKS

By the foregoing Amendment, Claim 24 has been amended. Claims 24-30 remain pending. Favorable reconsideration of the application is respectfully requested.

Claims 24-30 were rejected under 35 U.S.C. §103(a) on the grounds of obviousness from Diaz et al. as a matter of design choice, and further in view of Ahmed, further as a matter of design choice. Diaz et al. was cited as disclosing a sheath 12 remaining attached via a tab 24 to a segment of the deployment catheter 42, 44 for a certain amount of time. At column 7, lines 14-22, Diaz et al. also discloses a sheath approximately 80 centimeters in length with a longitudinal slit 34 approximately 60 centimeters in length, extending from the proximal end of the sheath 12 to a position intermediate the proximal and distal ends of the sheath.

As is illustrated in Figs. 4-6 of Diaz et al., the holder 16 slides longitudinally at the proximal end of the deployment catheter 42 to retain or release the tab 24 of the sheath 12, and when the tab 24 is released from the holder 16, the sheath can slide along the deployment catheter 42 to force the embolic coil 50 out of the distal end of the sheath 12. A zipper 26 and stop 30 mounted over the sheath 12 limit the extent to which the sheath 12 can slide proximally to be removed from the deployment catheter 42 for deployment of the embolic coil 50, and the holder 16 and zipper 26 slide longitudinally to load the deployment catheter 42 back into the sheath 12. As is illustrated in Figs. 7 and 8 of Diaz et al., when the sheath is to be reattached about the deployment catheter 42, the deployment catheter 42, the holder 16, and the zipper 26 slide proximally relative to the deployment catheter and over the sheath.

Claim 24 has been amended to recite "the flexible pusher member having an unused segment when the flexible pusher member is loaded into the microcatheter," "a segment of the upper wall of the elongated tubular member being without a slot," and "the segment of the elongated tubular member without a slot remaining attached to the unused segment of the flexible pusher member to facilitate initiation of loading of the flexible pusher member into the sheath." Support for the amendment can be found in original claims 16 and 24; and the specification at page 3, lines 21-25, and page 7, lines 7-11.

It is respectfully submitted that in Diaz et al. the holder slides over the portion of the deployment catheter over which the portion of the sheath with the integral tab is retained, and that the portion of the sheath without a slot, zipper and stop slide over the deployment catheter as the deployment catheter exits the sheath when the embolic coil is deployed, so that the portion of the sheath without a slot does not remain attached to an unused segment of the deployment catheter, as is claimed. Furthermore, in loading of the deployment catheter in the sheath, Diaz et al. also requires sliding movement of the zipper and the holder relative to the deployment catheter, and capturing of the tab of the sheath to retain the sheath on the deployment catheter, whereas in the present invention these are not required, since initiation of loading of the flexible pusher member into the sheath is facilitated by the segment of the elongated tubular member without a slot remaining attached to the unused segment of the flexible pusher member.

Ahmed was cited as disclosing angled winged flanges, and it also apparent from Ahmed that the tube 12 does not remain attached to the stem S, and that the stem S can also be easily removed from the tube 12. It is accordingly respectfully submitted that Claims 24-30 patentably distinguish the combination of Diaz et al. and Ahmed, and that the rejection of Claims 24-30 on the grounds of obviousness from Diaz et al. as a matter of design choice, and further in view of Ahmed, further as a matter of design choice, should be withdrawn.

In light of the foregoing amendments and remarks, it is respectfully submitted that the application should now be in condition for allowance, and an early favorable action in this regard is respectfully requested.

The Commissioner is authorized to charge any deficiencies or fees in connection with this amendment to Deposit Account No. 06-2425.

Respectfully submitted,

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